

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, ) 4:05CR3062  
                              )  
                               Plaintiff, ) **MEMORANDUM**  
vs.                          ) **AND ORDER**  
                              )  
MARK ANDREW SIMPSON, )  
                              )  
                               Defendant. )

This matter is before the court on a written report and recommendation by Magistrate Judge Piester, issued on August 30, 2005 (filing 27), recommending denial of Defendant's motion to suppress (filing 15). Defendant has not filed a statement of objections pursuant to NECrimR 57.3 and 28 U.S.C. § 636(b)(1).

I have conducted a de novo review of the record. I find that inasmuch as the Magistrate Judge has fully, carefully, and correctly found the facts and applied the law, the report and recommendation should be adopted and Defendant's motion to suppress should be denied in all respects.

IT IS ORDERED that:

1. the Magistrate Judge's report and recommendation (filing 27) is adopted; and
2. Defendant's motion to suppress (filing 15) is denied in all respects.

DATED: September 22, 2005.

BY THE COURT:

s/ *Richard G. Kopf*  
United States District Judge